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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/573,099

03/22/2006

Laisheng Liu

1124970-0018

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7470

7590

10/28/2008

WHITE & CASE LLP  
PATENT DEPARTMENT  
1155 AVENUE OF THE AMERICAS  
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EXAMINER

EASTWOOD, DAVID C

ART UNIT

PAPER NUMBER

4185

MAIL DATE

DELIVERY MODE

10/28/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/573,099	<b>Applicant(s)</b> LIU, LAISHENG	
	<b>Examiner</b> DAVID EASTWOOD	<b>Art Unit</b> 4185	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12/28/07.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 December 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/22/2006 and 12/28/2007</u> .                                | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-37 rejected under 35 U.S.C. 102(b) as being anticipated by Yiu (US 6436106).

**Regarding Claim 1**, Yiu (US 6436106) discloses a Hair removal Device with disc, vibration and light assemblies which comprises a housing (Column 3 line 60) with a plurality of disc assemblies (Column 3 line 63) wherein each disc assembly 500 is engaged to adjacent disc assembly or assemblies (Column 4 lines 63-65) where disc assemblies 500 can rotate in opposite directions. (Column 6 line 56-60) and a vibration gear 208 drives vibration assembly 603, wherein eccentric cylinder 601 lifts and lowers the vibration element 217 rapidly, as vibration gear 208 rotates, in order to generate the massage function of the present invention (Column 6 lines 43-46) including an illumination mechanism for illuminating the area of hair removal (Column 7 lines 15-16) which may also be a self-contained unit that can be attached or detached from the hair remover. (Column 7 Lines 33-34)

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**Regarding Claim 2,** Yiu (US 6436106) discloses an illumination mechanism for illuminating the area of hair removal(Column 7 lines 1—16) it is preferably located near disc assemblies so that it is close to the hair removal area.(Column 7 lines 20-23)

**Regarding Claim 3,** Yiu (US 6436106) discloses Preferably, light source for illumination mechanism is an incandescent light bulb or a light-emitting diode and is preferably oriented at an angle so as to maximize light directed to the hair removal area.(Column 7 lines 23-26)

**Regarding Claim 4,** Yiu (US 6436106) discloses a light source for illumination mechanism is an incandescent light bulb or a light-emitting diode and is preferably oriented at an angle so as to maximize light directed to the hair removal area.(Column 7 lines 23-26)

**Regarding Claim 5,** Yiu (US 6436106) discloses a light source for illumination mechanism is an incandescent light bulb or a light-emitting diode and is preferably oriented at an angle so as to maximize light directed to the hair removal area.(Column 7 lines 23-26)

**Regarding Claim 6,** Yiu discloses a light source that is preferably located near disc assemblies so that it is close to the hair removal area. (Column 7 lines 20-23)

**Regarding Claim 7,** Yiu (US 6436106) discloses a light source for illumination mechanism is an incandescent light bulb or a light-emitting diode and is preferably oriented at an angle so as to maximize light directed to the hair removal area.(Column 7 lines 23-26)

**Regarding Claim 8,** Yiu (US 6436106) discloses illumination mechanism may include a battery for powering light source. The battery may be contained in battery housing built into illumination mechanism. (Column 7 lines 27-29)

**Regarding Claim 9** Yiu (US 6436106) discloses illumination mechanism may draw power from the hair remover itself so that a separate battery solely for powering illumination mechanism is not required. (Column 7 lines 29-32)

**Regarding Claim 10** Yiu (US 6436106) discloses Illumination mechanism may also be a self-contained unit that can be attached or detached from the hair remover.(Column 7 lines 33-35)

**Regarding Claim 11,** Yiu (US 6436106) discloses a Hair removal Device with disc, vibration and light assemblies which comprises a housing (Column 3 line 60) with a plurality of disc assemblies (Column 3 line 63) wherein each disc assembly 500 is engaged to adjacent disc assembly or assemblies (Column 4 lines 63-65) where disc assemblies 500 can rotate in opposite directions. (Column 6 line 56-60) and a vibration gear 208 drives vibration assembly 603, wherein eccentric cylinder 601 lifts and lowers the vibration element 217 rapidly, as vibration gear 208 rotates, in order to generate the massage function of the present invention (Column 6 lines 43-46)

**Regarding Claim 12,** Yiu (US 6436106) discloses an illumination mechanism for illuminating the area of hair removal(Column 7 lines 1—16) it is preferably located near disc assemblies so that it is close to the hair removal area.(Column 7 lines 20-23)

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**Regarding Claim 13,** Yiu (US 6436106) discloses Preferably, light source for illumination mechanism is an incandescent light bulb or a light-emitting diode and is preferably oriented at an angle so as to maximize light directed to the hair removal area.(Column 7 lines 23-26)

**Regarding Claim 14,** Yiu (US 6436106) discloses a light source for illumination mechanism is an incandescent light bulb or a light-emitting diode and is preferably oriented at an angle so as to maximize light directed to the hair removal area.(Column 7 lines 23-26)

**Regarding Claim 15,** Yiu (US 6436106) discloses a light source for illumination mechanism is an incandescent light bulb or a light-emitting diode and is preferably oriented at an angle so as to maximize light directed to the hair removal area.(Column 7 lines 23-26)

**Regarding Claim 16,** Yiu discloses a light source that is preferably located near disc assemblies so that it is close to the hair removal area. (Column 7 lines 20-23)

**Regarding Claim 17,** Yiu (US 6436106) discloses a light source for illumination mechanism is an incandescent light bulb or a light-emitting diode and is preferably oriented at an angle so as to maximize light directed to the hair removal area.(Column 7 lines 23-26)

**Regarding Claim 18,** Yiu (US 6436106) discloses illumination mechanism may include a battery for powering light source. The battery may be contained in battery housing built into illumination mechanism. (Column 7 lines 27-29)

**Regarding Claim 19** Yiu (US 6436106) discloses illumination mechanism may draw power from the hair remover itself so that a separate battery solely for powering illumination mechanism is not required. (Column 7 lines 29-32)

**Regarding Claim 20** Yiu (US 6436106) discloses Illumination mechanism may also be a self-contained unit that can be attached or detached from the hair remover.(Column 7 lines 33-35)

**Regarding Claim 21,** Yiu (US 6436106) discloses a Hair removal Device with disc, vibration and light assemblies which comprises a housing (Column 3 line 60) with a plurality of disc assemblies (Column 3 line 63) wherein each disc assembly 500 is engaged to adjacent disc assembly or assemblies (Column 4 lines 63-65) where disc assemblies 500 can rotate in opposite directions. (Column 6 line 56-60) and a vibration gear 208 drives vibration assembly 603, wherein eccentric cylinder 601 lifts and lowers the vibration element 217 rapidly, as vibration gear 208 rotates, in order to generate the massage function of the present invention(Column 6 lines 43-46) including an illumination mechanism for illuminating the area of hair removal (Column 7 lines 15-16) which may also be a self-contained unit that can be attached or detached from the hair remover. (Column 7 Lines 33-34)

**Regarding Claim 22,** Yiu (US 6436106) discloses an illumination mechanism for illuminating the area of hair removal (Column 7 lines 1—16) it is preferably located near disc assemblies so that it is close to the hair removal area. (Column 7 lines 20-23) Preferably, light source for illumination mechanism is an incandescent light bulb or a

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light-emitting diode and is preferably oriented at an angle so as to maximize light directed to the hair removal area. (Column 7 lines 23-26)

**Regarding Claim 23**, Yiu (US 6436106) discloses Preferably, light source for illumination mechanism is an incandescent light bulb or a light-emitting diode and is preferably oriented at an angle so as to maximize light directed to the hair removal area.(Column 7 lines 23-26)

**Regarding Claim 24**, Yiu (US 6436106) discloses a light source for illumination mechanism is an incandescent light bulb or a light-emitting diode and is preferably oriented at an angle so as to maximize light directed to the hair removal area.(Column 7 lines 23-26)

**Regarding Claim 25**, Yiu discloses a light source that is preferably located near disc assemblies so that it is close to the hair removal area. (Column 7 lines 20-23)

**Regarding Claim 26**, Yiu (US 6436106) discloses a light source for illumination mechanism is an incandescent light bulb or a light-emitting diode and is preferably oriented at an angle so as to maximize light directed to the hair removal area.(Column 7 lines 23-26)

**Regarding Claim 27**, Yiu (US 6436106) discloses illumination mechanism may include a battery for powering light source. The battery may be contained in battery housing built into illumination mechanism. (Column 7 lines 27-29)

**Regarding Claim 28**, Yiu (US 6436106) discloses illumination mechanism may draw power from the hair remover itself so that a separate battery solely for powering illumination mechanism is not required. (Column 7 lines 29-32)



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**Regarding Claim 29,** Yiu (US 6436106) discloses Illumination mechanism may also be a self-contained unit that can be attached or detached from the hair remover.(Column 7 lines 33-35)

**Regarding Claim 30,** Yiu (US 6436106) discloses a Hair removal Device with disc, vibration and light assemblies which comprises a housing (Column 3 line 60) with a plurality of disc assemblies (Column 3 line 63) wherein each disc assembly 500 is engaged to adjacent disc assembly or assemblies (Column 4 lines 63-65) where disc assemblies 500 can rotate in opposite directions. (Column 6 line 56-60) and a vibration gear 208 drives vibration assembly 603, wherein eccentric cylinder 601 lifts and lowers the vibration element 217 rapidly, as vibration gear 208 rotates, in order to generate the massage function of the present invention(Column 6 lines 43-46) including an illumination mechanism for illuminating the area of hair removal (Column 7 lines 15-16) which may also be a self-contained unit that can be attached or detached from the hair remover. (Column 7 Lines 33-34)

**Regarding Claim 31,** Yiu (US 6436106) discloses an illumination mechanism for illuminating the area of hair removal (Column 7 lines 1—16) it is preferably located near disc assemblies so that it is close to the hair removal area. (Column 7 lines 20-23) Preferably, light source for illumination mechanism is an incandescent light bulb or a light-emitting diode and is preferably oriented at an angle so as to maximize light directed to the hair removal area. (Column 7 lines 23-26)

**Regarding Claim 32,** Yiu (US 6436106) discloses Preferably, light source for illumination mechanism is an incandescent light bulb or a light-emitting diode and is

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preferably oriented at an angle so as to maximize light directed to the hair removal area.(Column 7 lines 23-26)

**Regarding Claim 33,** Yiu (US 6436106) discloses Preferably, light source for illumination mechanism is an incandescent light bulb or a light-emitting diode and is preferably oriented at an angle so as to maximize light directed to the hair removal area.(Column 7 lines 23-26)

**Regarding Claim 34,** Yiu (US 6436106) discloses an illumination mechanism for illuminating the area of hair removal(Column 7 lines 1—16) it is preferably located near disc assemblies so that it is close to the hair removal area.(Column 7 lines 20-23)

**Regarding Claim 35,** Yiu (US 6436106) discloses a light source for illumination mechanism is an incandescent light bulb or a light-emitting diode and is preferably oriented at an angle so as to maximize light directed to the hair removal area.(Column 7 lines 23-26)

**Regarding Claim 36,** Yiu (US 6436106) discloses illumination mechanism may include a battery for powering light source. The battery may be contained in battery housing built into illumination mechanism. (Column 7 lines 27-29)

**Regarding Claim 37,** Yiu (US 6436106) discloses illumination mechanism may draw power from the hair remover itself so that a separate battery solely for powering illumination mechanism is not required. (Column 7 lines 29-32)

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Moret Michel A et al (US 3501836), Petersen, George R. (US 3673671), Dolev, Moshe (US 5100414), Iwasaki et al (US 5108410), Schafer et al (US 5234442), Iwasaki et al (US 5356415), Yiu et al (US 6123713), Yiu, Wai-Wah, (US 5976157), Iwasaki et al (US 5810843).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID EASTWOOD whose telephone number is (571)270-7135. The examiner can normally be reached on Monday thru Friday 9 a.m. to 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrell McKinnon can be reached on (571)2724797. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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/DAVID EASTWOOD/  
Examiner, Art Unit 4185

***/Terrell L Mckinnon/***

***Supervisory Patent Examiner, Art Unit 4185***